

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>RESPONDENT</b>	)	
	)	
<b>v.</b>	)	<b>CRIMINAL NO. 2:08-CR-88-DBH</b>
	)	
<b>CESAR EDUARDO DE CARVALHO,</b>	)	
	)	
<b>DEFENDANT/PETITIONER</b>	)	

**ORDER AFFIRMING RECOMMENDED DECISION  
OF THE MAGISTRATE JUDGE**

On May 11, 2016, the United States Magistrate Judge filed with the court, with copies to the parties, his Recommended Decision on 28 U.S.C. § 2255/ *Coram Nobis* Petition. The time within which to file objections expired on May 31, 2016, and no objection has been filed. The Magistrate Judge notified the parties that failure to object would waive their right to *de novo* review and appeal.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The petitioner is not entitled to a writ of *coram nobis*. Furthermore, to the extent that the petitioner seeks relief pursuant to 28 U.S.C. § 2255, an evidentiary hearing is not warranted under Rule 8 of the Rules Governing Section 2255 Cases. The petitioner's motion under 28 U.S.C. § 2255(a) is **DENIED**.

I **DENY** a certificate of appealability, pursuant to Rule 11 of the Rules Governing Section 2255 Cases, because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C. § 2253(c)(2).

**SO ORDERED.**

**DATED THIS 13<sup>TH</sup> DAY OF JUNE, 2016**

/s/D. BROCK HORNBY

**D. BROCK HORNBY**

**UNITED STATES DISTRICT JUDGE**